

CENTRAL SCOTLAND JOINT POLICE BOARD

Subject: POLICE USE OF FIREARMS
Meeting: CENTRAL SCOTLAND JOINT POLICE BOARD
Date: 27 NOVEMBER 2009
Author: CHIEF CONSTABLE

1 INTRODUCTION

- 1.1 The purpose of this report is to provide the Police Board with an update on the progress which has been made to date in relation to NPIA Licensing of Firearms Training. It will also highlight to the Board a key change in relation to the recording of firearms deployments.

2 NPIA LICENSING OF FIREARMS TRAINING

- 2.1 The Board will recall a previous report which advised that Police training in the use of firearms within Central Scotland Police is conducted according to the National Police Firearms Training Curriculum (NPFTC), which is adopted UK-wide. In order that a force can demonstrate that it trains officers according to the NPFTC guidelines, it must be awarded a licence of curriculum compliance by the NPIA. This is an important quality assurance measure, which is achieved by making a submission to the National Policing Improvement Agency (NPIA) in relation to teaching materials, assessment processes and standard operating procedures (SOPs) used, and by production of a firearms Strategic Threat and Risk Assessment (STRA).
- 2.2 Licensing is a two-stage process. Following initial assessment by NPIA, and the agreement of a gap analysis and associated action plan, a provisional licence of curriculum compliance will be issued. This will be monitored by NPIA through visits and 'health checks'. Following full implementation of the action plan, the forces will then make a further submission to the NPIA. This will result in the issue of a full licence, a full licence with a development programme attached, or an improvement notice.
- 2.3 The initial stages of this process have been implemented successfully within Central Scotland Police, and the Force was granted a Provisional Licence on 6 October 2009. A good working relationship has been established with the Licensing Team at NPIA, and several examples of best practice have been identified from other parts of the UK as a result of this liaison. While there remains a considerable amount of work to be progressed before an application for Full Licensing can be submitted, it is now likely that this will be achieved well within the initial projection of two years.

3 RECORDING OF FIREARMS DEPLOYMENTS

- 3.1 The use of firearms by the police is an emotive and at times contentious matter. As such, for several years the issue was strictly governed by the Manual of Guidance on the Police Use of Firearms, a national document produced by ACPO and ACPOS.
- 3.2 Over the past two years, the manual has been the subject of extensive review and redrafting by NPIA, and efforts have been made to incorporate within it the many lessons learned from recent armed policing operations and legal decisions. With effect from 1 November 2009, the police use of firearms is governed by a completely new document, the Manual of Guidance on the Management, Command and Deployment of Armed officers.
- 3.3 A key change brought about by the new Manual concerns the deployment of armed officers. The previous manual set out strict criteria for the issue of firearms to police officers, specifying that firearms would be issued to suitably authorised officers:
- a) Where the authorising officer had reason to suppose that the officers, in the course of their duties, may have to protect themselves or others from a person who:
 - was in possession of a firearm; or
 - had immediate access to a firearm; or
 - was otherwise so dangerous that the officers' use of a firearm might be necessary; or
 - b) For the humane destruction of animals which are dangerous or are suffering unnecessarily.

The clear focus of this part of the guidance related therefore to the issue of weapons, rather than the subsequent deployment of armed officers. This, in turn, informed the content of the Standard Operating Procedure (SOP) which the Force adopted in relation to the deployment of Armed Response Vehicles (ARVs).

- 3.4 Responsibility for the initial command and control of ARVs and their crews was devolved to FCCC Inspectors, who were trained as Tactical Firearms Commanders. Recognising that some incidents which may at first present as potential firearms incidents subsequently turn out to be much less serious in nature, the SOP made provision for the tactical relocation of an ARV to a holding point, to be retained as an operational contingency while the incident in question was monitored by the FCCC Inspector. Depending upon the circumstances and available information, the ARV crew may or may not have been granted authority to carry firearms.
- 3.5 The new Manual of Guidance, however, is very different in focus. It states, *inter alia*, that

“AFOs (i.e. Authorised Firearms Officers) are considered as being deployed when they are required to conduct a specific task during which the possession of a firearm, with appropriate authorisation, is a required element.”

The Manual goes on to describe the criteria for deployment as follows:

- Where the officer authorising the deployment has reason to suppose that officers may have to protect themselves or others from a person who
 - is in possession of, or has immediate access to, a firearm or other potentially lethal weapon; or
 - is otherwise so dangerous that the deployment of armed officers is considered to be appropriate; or
- As an operational contingency in a specific operation based on the threat assessment; or
- For the destruction of animals which are dangerous or are suffering unnecessarily.

It must however be noted that the use of the words ‘reason to suppose’ sets the level of knowledge required (about the existence of a threat justifying the deployment of AFOs) at a far lower level than that which would actually justify the use of firearms.

3.6 The criteria for deployment articulated within the new Manual are broadly similar to the criteria for issue of firearms which were contained within the previous document. The key change is that the Manual is worded in a fashion which clearly presumes that any deployment of authorised officers will involve their being granted authority to carry firearms.

3.7 Where the FCCC Inspector assesses that “reason to suppose” exists, as described above, he/she will contact the ARV and arrange for it to be deployed. If appropriate in the circumstances, a staged approach to deployment will be adopted according to the following three levels of response :

- deployed to a suitable location whilst intelligence is being confirmed;
- deployed to a controlled area where all the resources required for an operation will muster and thereafter deploy to the incident; or
- deployed directly to an incident location to perform a specific tactic due to the extreme nature of the threat.

In order to remain compliant with the wording of the new Manual, any deployment will require AFOs to be issued with firearms.

- 3.8 This means that future reports published by the Force which include statistical information regarding the deployment of armed officers may indicate an increase in the volume of this activity than previous data. However, this change ought not to be interpreted as the emergence of a new threat within the Central Scotland Police area, and there is no reason to believe that the numbers of firearms-related incidents brought to the notice of the Force will alter significantly.

4 FINANCIAL IMPLICATIONS

- 4.1 There are no financial implications associated with this change in procedure.

5 PERSONNEL IMPLICATIONS

- 5.1 The introduction of the new Manual of Guidance has necessitated the delivery of a training programme for all Strategic, Tactical and Operational Firearms Commanders, Firearms Tactics Advisors and AFOs. This programme was fully delivered prior to the implementation of the new Manual on 1 November 2009.

6 DIVERSITY IMPLICATIONS

- 6.1 There are no diversity implications arising from this report.

7 RECOMMENDATIONS

- 7.1 It is recommended that members note the content of this report.

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ARV ACTIVITY BRIEFING

26 May 2008 – 31 October 2009

(The figures shown are cumulative from the date in May 2008 when ARVs were introduced. The figures in brackets show the totals which were reported to the last meeting of the Board on 28 August 2009 for the period 26/5/08 to 31/7/09, along with the number of additional activities in the intervening period)

TOTAL USE of ARV resources – 405 occasions (313 = +92)

Tactical Relocation (no authority to arm)	308 (256 = + 52)
Tactical Relocation (authority granted)	65 (27 = + 38)
Rendezvous Point (no authority to arm)	1 (1 = + 0)
Rendezvous Point (authority granted)	5 (5 = + 0)
Deployment	25 (24 = +1)
Memorandum of Understanding (Fife)	1 (0 = +1)

ARV use by Area Command

FALKIRK 190 (165 = +25)

STIRLING 122 (73 = +52)

CLACKS. 92 (75 = +17)

(Fife) (1) (0 = +1)

Monthly total time extracted from RPU duties –

2008

May	16 minutes
June	13 hours, 58 minutes
July	21 hours, 29 minutes
August	9 hours, 1 minute
September	30 hours, 35 minutes
October	15 hours, 28 minutes
November	12 hours, 43 minutes
December	15 hours, 28 minutes

2009

January	18 hours, 34 minutes
February	11 hours, 47 minutes
March	8 hours, 33 minutes
April	6 hours, 26 minutes
May	17 hours, 49 minutes
June	23 hours, 47 minutes
July	12 hours, 7 minutes
August	10 hours, 50 minutes
September	6 hours, 3 minutes
October	8 hours, 55 minutes

Total time extracted from RPU duties – 243 hrs, 49 mins. (205 hrs 54 m = +37 hrs 55m)

